

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GEORGE STEINMETZ,	:	
	:	
	:	
Plaintiff,	:	<u>ORDER RE: MOTION TO</u>
	:	<u>COMPEL AND DISCOVERY</u>
-against-	:	<u>DISPUTE</u>
	:	21 Civ. 7100 (AKH)
	:	
SHUTTERSTOCK, INC. et al,	:	
	:	
Defendants.	:	
-----	X	

ALVIN K. HELLERSTEIN, U.S.D.J.:

This Order addresses Plaintiff's motion to compel Plaintiff's counsel to provide available dates for Plaintiff's deposition (ECF No. 27) and the parties' joint letter, dated July 13, 2022, submitted pursuant to my Individual Rule 2E, asking me to rule on discovery disputes (ECF No. 31). I rule as follows.

Plaintiff shall appear for deposition on a date during the week beginning July 17, 2022 chosen by Plaintiff at the office of Defendant's attorney. Social distancing and masks are required except that, if the deposition is videotaped, Plaintiff shall not wear a mask while questioned. The Clerk of Court shall terminate ECF No. 27.

As to further requests for production, Defendant shall present an affidavit, by an executive having knowledge, describing the searches made in response to the requests for production and the conclusion that all responsive documents have been produced or, if withheld, listed in a privilege log conforming with Local Rule 26.2.

As to Plaintiff's requests for metadata and ESI, the request for such information as it relates to other contributors to Defendant's website or policies in place at times not relevant

to this lawsuit, the request is denied because of lack of relevance and because the information has been covered in less burdensome interrogatories and requests.

As to Plaintiff's interrogatory requests, Defendant shall respond to Interrogatories 3 and 4.

Plaintiff's request for production of documents related to other lawsuits against Defendant is denied. No showing has been made that information in other lawsuits is relevant to this lawsuit.

The request to extend the fact-discovery deadline is denied. The remaining depositions can be taken before the deadline.

Defendant's motion for costs is denied. The discovery disputes do not rise to a level when sanctions may be appropriate.

The parties shall appear for a status conference, as previously scheduled, on August 12, 2022, at 10:00 a.m. to discuss further discovery deadlines or to set a dispositive motion schedule.

SO ORDERED.

Dated: July 15, 2022
New York, New York

/s/ Alvin K. Hellerstein
ALVIN K. HELLERSTEIN
United States District Judge